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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,423	10/02/2000	John M Boyd	LAM2P206	4367

7590

04/10/2002

Albert S Penilla
Martine Penilla & Kim LLP
710 Lakeway Drive
Suite 170
Sunnyvale, CA 94085

EXAMINER

SHAKERI, HADI

ART UNIT

PAPER NUMBER

3723

DATE MAILED: 04/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/678,423

Applicant(s)

BOYD ET AL.

Examiner

Hadi Shakeri

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 03. 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are approved by the drafts person but are objected to by the Examiner as failing to comply with 37 CFR 1.84(p)(4) because reference character "214" has been used to designate both "drums" and "wafer application region", Fig. 2A-1. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 1 recites the limitation "the first position and the second position" in the last line. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 2 recites the limitation "the surface of the web" in line 2. There is insufficient antecedent basis for this limitation in the claim. it is unclear whether the contact surface is being claimed or the application surface.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

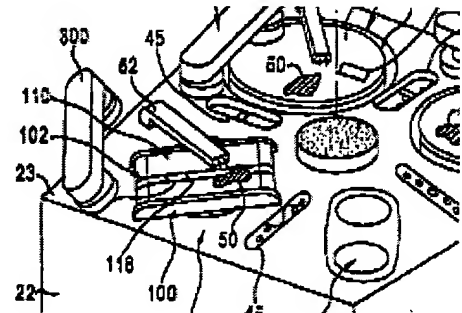
A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1, 2, 11, 12, 14 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Li et al., US Patent No. 6,322,427.

Li et al. discloses all the limitations of claims 1 and 12, i.e., a fixed abrasive pad (110), a “web” dressing media (300), and a pressure application plate (100).



Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3723

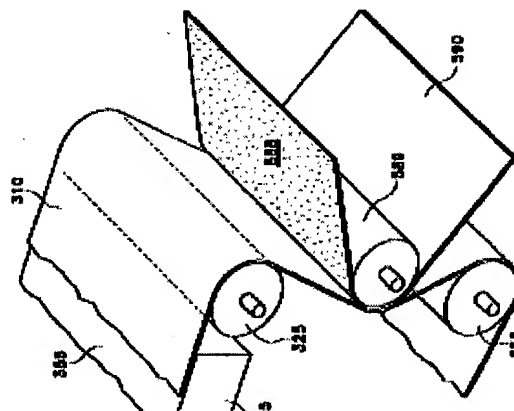
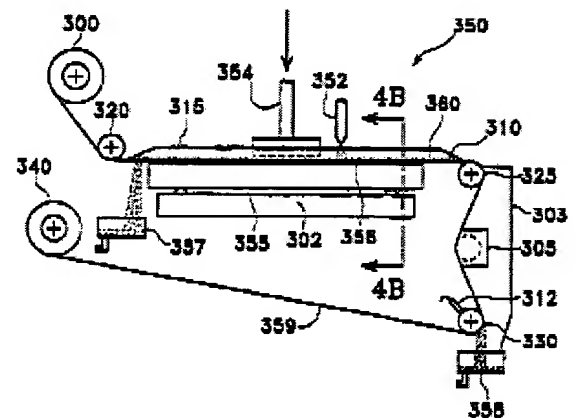
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4, 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al.

Li et al. as applied to claims 1 and 12 above meets all the limitations of the above claims, except for specifically disclosing controlling the pressure applied, i.e., stabilizer. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a stabilizer, since it was known in the art that to control the pressure applied to the pad for enhancing the dressing operation.

10. Claims 1-9 and 11-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donohue et al., US Patent No. 6,312,319 in view of Chopra et al., US Patent No. US Patent No. 6,361,411.

Donohue et al. discloses all the limitations of claims 1, 12 and 19, i.e., a fixed abrasive pad (310), a web dressing media (590) having a contact surface defined between a first point and a second point (edges of the web), a feed roller, a take up roller (not shown, col. 17, line 30-45); except for disclosing a pressure application plate applied to a surface opposite the contact surface.



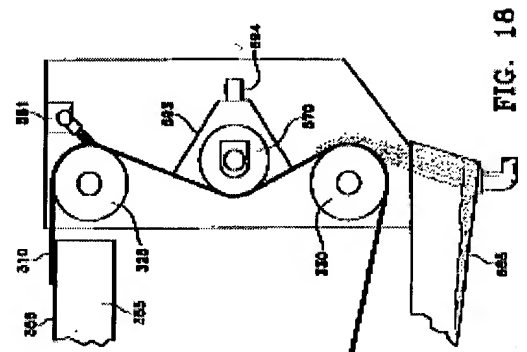
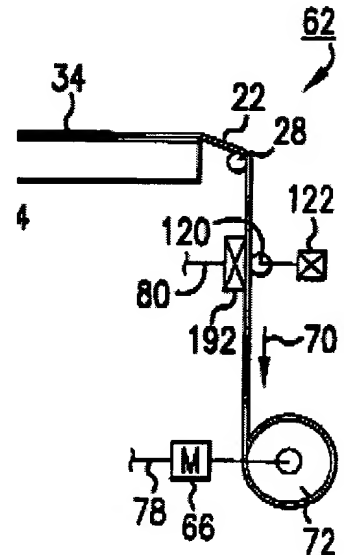
Chopra et al. teaches a method for conditioning a web-shaped polishing pad having a pressure plate (192) being applied to an application surface (194) opposite of a contact surface.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the invention of Donohue et al. with a pressure plate as taught by Chopra et al. to enhance the conditioning.

Regarding claims 2-9, 11, 13-24, prior art meets the limitations.

Regarding claim 6, even though the configuration of conditioning system as depicted in Fig. 4A is outside the area where polishing occurs, it is disclosed in col. 19, lines 40-45 that the polishing media that is to be used in the polishing process is indexed to pass through the conditioning and cleaning elements.

Regarding claims 9 and 20, embodiment shown in Fig. 18 depicts a housing (593).



Allowable Subject Matter

11. Claim 10 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Art Unit: 3723

Conclusion

12. Prior art made of record and not relied upon are considered pertinent to applicant's disclosure. Hammond, Nagahara et al., Gabrielson et al. and Strecker are cited to show related inventions.

13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Hadi Shakeri at (703) 308-6279, FAX (703) 746-3279 for unofficial documents. The examiner can normally be reached on Monday-Thursday, 7:30 AM to 6:00 PM.

Official documents may be faxed to (703) 872-9302, after final to (703) 872-9303.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist at (703) 308-1148.



Joseph J. Hail, III
Supervisory Patent Examiner
Technology Center 3700

HS



April 5, 2002